



STATE OF WISCONSIN Assembly Journal

Ninety–Second Regular Session

9:10 A.M.

TUESDAY, October 3, 1995

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Gronemus.

Representative Kelso led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dobyns, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Ott, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Underheim, Urban, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirch, Wood, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 98.

Absent with leave – Representative L. Young – 1.

LEAVES OF ABSENCE

Representative R. Potter asked unanimous consent for a leave of absence for today's session for Representative L. Young. Granted.

AMENDMENTS OFFERED

Assembly amendment 4 to **Assembly Bill 557** offered by Representatives Lorge, F. Lasee, Walker, Lazich and Otte.

Assembly amendment 5 to **Assembly Bill 557** offered by Representative Lorge.

Assembly amendment 6 to **Assembly Bill 557** offered by Representatives Lorge, F. Lasee, Skindrud, Gunderson and Nass.

Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representatives Dobyns, Owens, Ott and Olsen.

Assembly amendment 10 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Wasserman.

Assembly amendment 11 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representatives Hubler and Boyle.

Assembly amendment 12 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Jensen.

Assembly amendment 13 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Jensen.

Assembly amendment 14 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representatives Baldus, Wilder, Black, Springer, Huber, Wirch and Krug.

Assembly amendment 15 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Grobschmidt.

Assembly amendment 16 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Black.

Assembly amendment 17 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representatives Harsdorf, Huebsch and Seratti.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 599

Relating to: a relief program operated for a specific class or classes of persons.

By Representatives Gard, Walker and Riley; cosponsored by Senators Rosenzweig, Buettner, Darling, Panzer and Farrow.

To committee on Welfare Reform.

COMMUNICATIONS

October 3, 1995

Charlie Sanders, Chief Clerk
Wisconsin State Assembly
1 East Main Street, Suite 402
Madison, Wisconsin 53708

Dear Mr. Sanders:

On September 29, 1995, **Assembly Bill 591**, relating to creating a new public assistance program for families with dependent children, modifying the sunset of the aid to families with dependent children program, modifying administration of the food stamp program, modifying the eligibility requirements of certain recipients of medical assistance, creating a program to provide payment to a relative, other than a parent, who is providing care and maintenance for a child, eliminating postsecondary education and vocational skills training from the job opportunities and basic skills program, applying the learnfare provisions statewide to certain individuals who are 6 to 19 years of age, eliminating child care funded under community aids, modifying eligibility requirements for low-income and at-risk child care, creating a tax exemption, making modifications to the job opportunities and basic skills program, making modifications to the food stamp employment and training program, consolidating state general purpose revenue appropriations for public assistance and local aid, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, granting rule-making authority and making appropriations, was referred to the Joint Survey Committee on Tax Exemptions. Pursuant to the authority provided by Assembly Rule 42(3)(c), I hereby withdraw **Assembly Bill 591** from the Joint Survey Committee on Tax Exemptions and rerefer it to the committee on Welfare Reform.

Representative Robert Zukowski and Senator George Petak, co-chairs of the Joint Survey Committee on Tax Exemptions, have consented to this rereferral.

Thank you for your attention to this matter.

Very truly yours,
DAVID PROSSER, JR.
Assembly Speaker

COMMITTEE REPORTS

The *Joint Committee on Finance* reports and recommends:

Assembly Bill 557

Relating to: state finances and appropriations for the department of transportation; imposing an oil company franchise fee; authorizing populous counties to impose a

petroleum products storage fee; the reporting date and payment date for the motor vehicle fuel tax; taxation of motor vehicle fuel that is not sold for use on highways; motor vehicle fuel and alternate fuel taxes and qualified motor vehicles; the formula for indexing the fuel taxes; the international fuel tax agreement and the petroleum product inspection and oil company franchise fees; authorizing construction of additional major highway projects; aids for county forest roads; environmental clean-up activities on lands acquired by the department of transportation; vehicle weight limit exceptions on a part of the national system of interstate and defense highways; numerous changes to the classified driver license system and commercial motor vehicle operation; eligibility for an occupational license; demerit point reduction for completion of a rider course relating to Type 1 motorcycle operation; vehicle accidents resulting in property damage; performance of motor vehicle registration and titling functions by motor vehicle dealers; farm truck registration; the fee for issuance or reissuance of special distinguishing motor vehicle registration plates; the fee for furnishing certain operators' records; permitting the department of transportation to make, record and use digitized images of applicants for operators' licenses and identification cards; local transportation and connecting highway aids; the funding of the urban mass transit operating assistance program; repaving a portion of I 43 in Milwaukee County; authorizing the department of transportation to conduct projects under the surface transportation discretionary grants program; railroad rehabilitation and construction loans; rehabilitation of private road crossings; the employment transit assistance program; the registration period and fees applicable to aircraft; eliminating hazardous materials transportation fees; delaying the expiration date of the disadvantaged business demonstration and training program; exempting railroad property acquired by the department of transportation from the tax-exempt property reporting requirement; granting bonding authority; granting rule-making authority; making appropriations; and providing penalties.

Assembly substitute amendment 1 adoption:

Ayes: 10 – Representatives Brancel, Foti, Porter, Schneiders, Ourada and Harsdorf; and Senators Weeden, Schultz, Panzer and Rosenzweig.

Noes: 5 – Representative Coggs and Senators Cowles, Petak, George and Chvala.

Passage as amended:

Ayes: 10 – Representatives Brancel, Foti, Porter, Schneiders, Ourada and Harsdorf; and Senators Weeden, Schultz, Panzer and Rosenzweig.

Noes: 5 – Representative Coggs and Senators Cowles, Petak, George and Chvala.

To calendar.

BEN BRANCEL
Assembly Chairperson
Joint Committee on Finance

**CALENDAR OF THURSDAY,
SEPTEMBER 28**

Assembly Bill 69

Relating to: the regulation of firearms by cities, villages, towns and counties.

The question was: **Assembly Bill 69** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baumgart, Brancel, Brandemuehl, Coleman, Dobyms, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Meyer, Murat, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plache, Porter, Powers, Reynolds, Rutkowski, Ryba, Schneider, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Underheim, Vrakas, Walker, Ward, Wilder, Wirch, Wood, Ziegelbauer, Zukowski and Speaker Prosser – 69.

Noes – Representatives Baldwin, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Hanson, Hasenohrl, Krug, Krusick, Kunicki, La Fave, Linton, Morris–Tatum, Notestein, Plombon, R. Potter, Riley, Robson, Travis, Turner, Urban, Vander Loop, Wasserman, Williams and R. Young – 29.

Absent or not voting – Representative L. Young – 1.

Motion carried.

Representative Hasenohrl asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

Representative Linton asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

Representative Turner asked unanimous consent to be recorded as voting “Aye” on the previous question. Granted.

Representative Jensen asked unanimous consent that the rules be suspended and that **Assembly Bill 69** be immediately messaged to the Senate. Granted.

Representative Green asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

9:19 A.M.

RECESS

12:36 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

CALL OF THE ASSEMBLY

Representative Gard requested a call of the Assembly. There were sufficient seconds.

The Sergeant-at-Arms was directed to close the doors and the Chief Clerk to call the roll.

The Chief Clerk called the roll.

Representative Jensen asked unanimous consent that the call of the Assembly be lifted. Granted.

CALENDAR OF TUESDAY, OCTOBER 3

Assembly Bill 557

Relating to: state finances and appropriations for the department of transportation; imposing an oil company franchise fee; authorizing populous counties to impose a petroleum products storage fee; the reporting date and payment date for the motor vehicle fuel tax; taxation of motor vehicle fuel that is not sold for use on highways; motor vehicle fuel and alternate fuel taxes and qualified motor vehicles; the formula for indexing the fuel taxes; the international fuel tax agreement and the petroleum product inspection and oil company franchise fees; authorizing construction of additional major highway projects; aids for county forest roads; environmental clean-up activities on lands acquired by the department of transportation; vehicle weight limit exceptions on a part of the national system of interstate and defense highways; numerous changes to the classified driver license system and commercial motor vehicle operation; eligibility for an occupational license; demerit point reduction for completion of a rider course relating to Type 1 motorcycle operation; vehicle accidents resulting in property damage; performance of motor vehicle registration and titling functions by motor vehicle dealers; farm truck registration; the fee for issuance or reissuance of special distinguishing motor vehicle registration plates; the fee for furnishing certain operators’ records; permitting the department of transportation to make, record and use digitized images of applicants for operators’ licenses and identification cards; local transportation and connecting highway aids; the funding of the urban mass transit operating assistance program; repaving a portion of I-43 in Milwaukee County; authorizing the department of transportation to conduct projects under the surface transportation discretionary grants program; railroad rehabilitation and construction loans; rehabilitation of private road crossings; the employment transit assistance program; the registration period and fees applicable to aircraft; eliminating hazardous materials transportation fees; delaying the expiration date of the disadvantaged business demonstration and training program; exempting railroad property acquired by the department of transportation from the tax-exempt property reporting requirement; granting bonding authority; granting rule-making authority; making appropriations; and providing penalties.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representatives Boyle and Hubler.

Representative Jensen moved that Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyms, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Lorge, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Plache, Porter, Powers, Rutkowski, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 53.

Noes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Hasenohrl, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Meyer, Morris–Tatum, Murat, Notestein, Plombon, R. Potter, Reynolds, Riley, Robson, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, Wood, R. Young and Ziegelbauer – 45.

Absent or not voting – Representative L. Young – 1.

Motion carried.

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representatives Lorge and Schneider.

Representative Lorge asked unanimous consent that Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 557** be placed after Assembly amendment 9 to Assembly substitute amendment 1 to **Assembly Bill 557**. Granted.

Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Ladwig.

Representative Ladwig asked unanimous consent that Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 557** be withdrawn and returned to the author.

Representative Plache objected.

Representative Plache asked unanimous consent to be added as a coauthor of Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 557**.

Representative Foti objected.

Representative Foti moved that Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table.

Representative Foti withdrew his motion.

Representative Ladwig asked unanimous consent that Assembly amendment 3 to Assembly substitute amendment 1 to **Assembly Bill 557** be withdrawn and returned to the author. Granted.

Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Black.

Representative Jensen moved that Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table.

Representative Duff in the chair.

Speaker Pro Tempore Freese in the chair.

The question was: Shall Assembly amendment 4 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Brancel, Brandemuehl, Coleman, Dobyms, Duff, Foti, Freese, Gard, Goetsch, Green, Grothman, Gunderson, Hahn, Handrick, Harsdorf, Hasenohrl, Hoven, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Ladwig, F. Lasee, Lazich, Lehman, Musser, Nass, Olsen, Ott, Otte, Ourada, Owens, Porter, Powers, Schneiders, Seratti, Silbaugh, Skindrud, Underheim, Urban, Vrakas, Walker, Ward, Zukowski and Speaker Prosser – 51.

Noes – Representatives Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Carpenter, Coggs, Cullen, Dueholm, Grobschmidt, Gronemus, Hanson, Huber, Hubler, Kreuser, Krug, Krusick, Kunicki, La Fave, Linton, Lorge, Meyer, Morris–Tatum, Murat, Notestein, Plache, Plombon, R. Potter, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneider, Springer, Travis, Turner, Vander Loop, Wasserman, Wilder, Williams, Wirch, Wood, R. Young and Ziegelbauer – 47.

Absent or not voting – Representative L. Young – 1.

Motion carried.

Assembly amendment 5 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Ainsworth.

Assembly amendment 6 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Ainsworth.

Representative Ainsworth asked unanimous consent that Assembly amendments 5 and 6 to Assembly substitute amendment 1 to **Assembly Bill 557** be placed after Assembly amendment 14 to Assembly substitute amendment 1 to **Assembly Bill 557**. Granted.

Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Dobyms.

Representative Dobyms asked unanimous consent that Assembly amendment 7 to Assembly substitute amendment 1 to **Assembly Bill 557** be placed after Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 557**. Granted.

Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 557** offered by Representative Dobyms.

Representative Foti moved that Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table.

The question was: Shall Assembly amendment 8 to Assembly substitute amendment 1 to **Assembly Bill 557** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Baldus, Baldwin, Baumgart, Bell, Black, Bock, Boyle, Brancel, Brandemuehl, Carpenter, Coggs, Coleman, Cullen, Dueholm, Duff, Foti, Freese, Gard, Goetsch, Green, Grobschmidt, Gronemus, Grothman, Gunderson, Hahn, Handrick, Hanson, Harsdorf, Hasenohrl, Hoven, Huber, Hubler, Huebsch, Hutchison, Jensen, Johnsrud, Kaufert, Kelso, Klusman, Kreibich, Kreuser, Krug, Krusick, Kunicki, La Fave, Ladwig, F. Lasee, Lazich, Lehman, Linton, Lorge, Meyer, Morris–Tatum, Murat, Musser, Nass, Notestein, Olsen, Otte, Ourada, Owens, Plache, Plombon, Porter, R. Potter, Powers, Reynolds, Riley, Robson, Rutkowski, Ryba, Schneiders, Seratti, Silbaugh, Skindrud, Springer, Travis, Turner, Vander Loop, Vrakas, Walker, Ward, Wasserman, Wilder, Williams, Wirch, Wood, R. Young, Ziegelbauer, Zukowski and Speaker Prosser – 93.

Noes – Representatives Dobyms, Ott, Schneider, Underheim and Urban – 5.

Absent or not voting – Representative L. Young – 1.

Motion carried.

Speaker Prosser in the chair.

SPECIAL GUESTS

Speaker Prosser introduced members of the Austrian Government: Dr. Helmut Turk, Austrian Ambassador to the United States; Gerlad Kriechbaum, the Austrian Consul General; and Peter Athanasiadis who are visiting Wisconsin.

Speaker Pro Tempore Freese in the chair.

Representative Lorge asked unanimous consent that the Assembly adjourn in honor of the City of Clintonville on being named a “Main Street Project” city today, and Mayor Gib Johnson, along with Jean Hundertmark, Mike Belliveau,

Alice Derby, Wally Thiel, Matt Stanton and Jim Verkest. Granted.

Representative Baumgart asked unanimous consent that the Assembly adjourn in honor of Aldo Leopold and former State Senator Ernest Keppler (R–Sheboygan), who went to the School of Aldo Leopold–University of Wisconsin–Madison, who is quoted as saying that he was strongly opposed to allowing the Governor to appoint the Secretary of the Department of Natural Resources: “It stands to reason,” said Keppler, “that there will now be some strenuous lobbying by proponents of cabinet government to get prompt legislative action which would permit the Governor to appoint the new DNR Secretary. I am very much against cabinet government for Wisconsin and I am hopeful that the new Secretary will be appointed by the Natural Resources Board.” Keppler said that there are already enough political “plums” in Wisconsin and it would be most inappropriate to allow the Governor ... any governor... to reward political supporters by appointing them to top positions in state government, such as Secretary of the Department of Natural Resources. “I should like to point out” said Keppler, “that I am not saying that every cabinet appointment would be made strictly on the basis of politics. I must add, however, that over the years a great many gubernatorial appointments by both Republican and Democratic Governors have been political. I do not think we can afford to have our major state agencies being headed by political appointees who may at times put politics above what is actually best for the majority of Wisconsin citizens.” Granted.

Representative Kelso asked unanimous consent that the Assembly adjourn in honor of the City of Green Bay and Mayor Paul Jardin, on the occasion of Green Bay being named a “Main Street Project” city. Granted.

Representative Schneiders asked unanimous consent that the Assembly adjourn in honor of Representative Lazich who is celebrating her birthday today. Granted.

Representative Ward asked unanimous consent that the Assembly adjourn in memory of Eugene Radtke, father of former State Representative Randy Radtke, who passed away on Saturday, September 30. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in memory of Imelda Passineau, who recently passed away. Granted.

Representative Jensen asked unanimous consent that the Assembly adjourn in honor of Assembly Sergeant–At–Arms John Scocos, who was recently promoted to Lieutenant Colonel in the Wisconsin National Guard. Granted.

Representative Hoven asked unanimous consent that the Assembly adjourn in honor of Doris Hoven, who is celebrating her birthday. Granted.

VISITORS

During today’s session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Eighth grade students from Wilton Elementary School in the Elroy, Kendall and Wilton School District, accompanied by their teacher Terri Fanta, guests of Representative Musser.

Steve and Mary Marshall from Menomonee Falls, guests of Representative Schneiders.

Earl Slentohl, President of the Whitehall Electric Utility; Lyn Johnson, Whitehall City Clerk; and Gary Fromm, Superintendent of Whitehall Electric Utility; guests of Representative Gronemus.

Pamella Luebke from Oshkosh, guest of Representative Klusman.

Candace Gingrich, sister of the Speaker of the U.S. House of Representatives Newt Gingrich, who is a member of the Human Rights Campaign Fund and is participating in a 48 city

speaking tour, urging people to get involved in the effort to educate Congress about the problems of discrimination and lack of equal rights for gay and lesbian Americans, guest of Representative Baldwin.

ADJOURNMENT

Representative Jensen moved that the Assembly stand adjourned until 9:30 A.M. on Thursday, October 5.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

2:25 P.M.